

Message Text

CONFIDENTIAL

PAGE 01 USBERL 01708 01 OF 02 181601Z
ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10
L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 ICA-11
IO-13 ACDA-12 TRSE-00 /091 W
-----073923 181626Z /50

R 181530Z JUL 78
FM USMISSION USBERLIN
TO SECSTATE WASHDC 7304
INFO AMEMBASSY BERLIN
AMEMBASSY BONN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION USNATO

C O N F I D E N T I A L SECTION 1 OF 2 USBERLIN 1708

E O 11652: XGDS-1
TAGS: PGOV, BQG, GE
SUBJ: SOVIET PROTEST RE WEST BERLIN POLICE CONTROLS ON S-BAHN

SUMMARY: THE SOVIET EMBASSY IN EAST BERLIN HAS PROTESTED TO
BRITISH (CHAIRMAN) POLAD ALLIED ORDINANCE PERMITTING WEST
BERLIN POLICE TO OPERATE WITHIN CERTAIN LIMITS ON WEST
BERLIN S-BAHN. BRITISH REJECTED SOVIET ALLEGATION THAT
ALLIED ORDINANCE WAS ILLEGAL AND THAT THE DECISION
"CHANGED THE SITUATION" IN TERMS OF THE QA. END SUMMARY.

1. FIRST SECRETARY TYUTYUNOV CALLED ON BRITISH (CHAIRMAN)
POLAD GLADSTONE ON JULY 13 TO DELIVER THE FOLLOWING ORAL
STATEMENT ON BEHALF OF SOVIET AMBASSADOR ABRASIMOV.

BEGIN TEXT: THE WEST BERLIN PRESS HAS RE-
PORTED THAT THE MILITARY ADMINISTRAT-
IONS OF THE THREE POWERS IN WEST BERLIN HAVE PUBLISHED AN ORDINANCE
PERMITTING THE WEST BERLIN POLICE IN FUTURE TO CARRY OUT CONTROLS
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 USBERL 01708 01 OF 02 181601Z

ON THE TERRITORY AND IN THE TRAINS OF THE STATE RAILWAYS OF THE
GDR (QUOTE REICHSBAHN UNQUOTE) AND OF CITY ELECTRIC TRAINS (QUOTE
S-BAHN UNQUOTE) IN WEST BERLIN.

IT IS QUITE CLEAR THAT THEIR ORDINANCE IS NOTHING OTHER THAN AN
ATTEMPT SERIOUSLY TO INTERFERE BY THE WEST BERLIN SIDE IN THE
RIGHTS AND COMPETENCES OF THE GERMAN DEMOCRATIC REPUBLIC WITH REGARD
TO COMMUNICATIONS IN WEST BERLIN BELONGING TO IT IN ORDER TO

CHANGE THE SITUATION LONG EXISTING IN THIS FIELD.

THE EMBASSY OF THE USSR IN THE GDR WISHES TO MAKE A STRONG PROTEST TO THE MILITARY ADMINISTRATIONS OF THE THREE POWERS AGAINST THE ARBITRARY ACTIONS, WHICH ARE, APART FROM OTHER CONSIDERATIONS, A DIRECT VIOLATION BY THE THREE POWERS OF THEIR OBLIGATIONS IN THE QUADRIpartite AGREEMENT OF 3 SEPTEMBER 1971, WITH REGARD TO THEIR RESPECTING THE EXISTING SITUATION AND NOT ALTERING IT UNILATERALLY. THE SOVIET EMBASSY NATURALLY CANNOT RECOGNISE THE ORDINANCE OF THE MILITARY ADMINISTRATION AS LEGAL AND INSISTS ON ITS IMMEDIATE ABROGATION. THE EMBASSY IN THE MOST SERIOUS MANNER POSSIBLE WARNS THE WESTERN SIDE ABOUT THE IMPLEMENTATION OF THIS DECISION AND STATES THAT ALL RESPONSIBILITY FOR UNLAWFUL ACTIONS ARISING OUT OF IT, IF SUCH ACTIONS WILL STILL FOLLOW, WILL BE THE RESPONSIBILITY OF THE MILITARY ADMINISTRATIONS OF THE THREE WESTERN POWERS. END TEXT.

2. IN REPLY, GLADSTONE SAID THAT HE WOULD OF COURSE PASS ON THE STATEMENT TO WHICH THERE MIGHT BE A SUBSEQUENT ALLIED REPLY. MEANWHILE, SPEAKING PERSONALLY, HE COULD SAY THAT IT WAS WRONG TO SEE THE ALLIED ORDINANCE AS AN ATTEMPT TO INFRINGE THE RIGHTS OF THE REICHSBAHN IN WEST BERLIN. THE ALLIES HAD CONSIDERED THE MATTER AT GREAT LENGTH AND IN GREAT DETAIL BEFORE AUTHORIZING WEST BERLIN POLICE TO OPERATE, WITHIN CERTAIN LIMITS, ON THE S-BAHN. THE REASONS WERE PRACTICAL AND ENTIRELY CONNECTED WITH THE NEED TO COMBAT ORGANIZED CRIME. IT HAD BECOME INCREASINGLY CLEAR OVER THE YEARS THAT FREE

CONFIDENTIAL

PAGE 03 USBERL 01708 01 OF 02 181601Z

USE OF THE S-BAHN HAD ALLOWED CRIMINAL ELEMENTS TO ESCAPE FROM THE WESTERN SECTORS INTO EAST BERLIN AND TO BRING ILLEGAL MATERIAL FROM EAST BERLIN INTO THE WESTERN SECTORS. THE OCCASIONAL PRESENCE OF WEST BERLIN POLICE ON THE TRAINS COULD IN NO WAY EFFECT THE OPERATING RIGHTS OF THE S-BAHN. FINALLY, GLADSTONE OBSERVED, THERE WAS NO DOUBT THAT THE ALLIES HAD EVERY RIGHT TO DO WHAT THEY HAD DONE.

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 USBERL 01708 02 OF 02 181606Z
ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10

L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 ICA-11

IO-13 ACDA-12 TRSE-00 /091 W

-----074024 181626Z /50

R 181530Z JUL 78

FM USMISSION USBERLIN

TO SECSTATE WASHDC 7305

INFO AMEMBASSY BERLIN

AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION USNATO

C O N F I D E N T I A L SECTION 2 OF 2 USBERLIN 1708

3. TYUTYUNOV DEFENDED THE GDR RECORD IN FIGHTING
TERRORISM AND DRUG-TRAFFICKING; HE ARGUED THAT THE RIGHT
WAY TO FIGHT THESE CRIMES IN WEST BERLIN WAS TO SEEK
THE COOPERATION OF THE GDR. TYUTYUNOV THOUGHT THE
ALLIED DECISION HAD NOT BEEN PROPERLY THOUGHT OUT. IF
REALLY WORRIED ABOUT CRIME IN THE WESTERN SECTORS, THE
ALLIES SHOULD COMBAT IT IN THEIR OWN SECTORS, NOT
ENCROACH ON THE TERRITORY OF THE GDR OR ITS TRAINS.
TYUTYUNOV ASSERTED THAT THE ALLIED DECISION REPRESENTED
A LIMITATION ON THE OPERATING RIGHTS OF THE REICHSBAHN
IN THE WESTERN SECTORS. HE STESSED AGAIN HIS AMBASSADOR'S
REQUEST THAT THE ALLIES RECONSIDER THEIR DECISION.

4. GLADSTONE REPLIED THAT HE COULD NOT ACCEPT THE IMPLI-
CATION OF TYUTYUNOV'S REMARKS ABOUT THE ALLIES RESTRICTING
THEIR ACTIVITIES TO THEIR OWN SECTORS; THE TERRITORY ON
WHICH THE REICHSBAHN OPERATED DID NOT BELONG TO THE GDR
AND THE ALLIES HAD NEVER ACCEPTED ANY LIMITATION OF THEIR
RIGHT TO ENTER UPON THAT TERRITORY WHEN THIS SEEMED
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 USBERL 01708 02 OF 02 181606Z

NECESSARY, SUCH AS AT THE TIME OF THE LORENZ KIDNAPPING.
FOR THE SAME REASON, GLADSTONE COULD NOT ACCEPT THE
SOVIET CHARGE IN THE EXISTING SITUATION IN TERMS
OF THE QUADRIPARTITE AGREEMENT.

5. THE BRITISH ARE IN THE PROCESS OF DRAFTING FOR CON-
SIDERATION A PROPOSED SHORT ALLIED REPLY WHICH WOULD
REASSERT THE RIGHT OF THE ALLIES, INCLUDING THE RIGHT
TO ENTER THE TERRITORY IN THEIR SECTORS ON WHICH THE
REICHSBAHN OPERATED. GEORGE

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DIPLOMATIC PROTESTS, SHOW OF FORCE, POLICE FORCES, TRAFFIC CONTROL
Control Number: n/a
Copy: SINGLE
Draft Date: 18 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978USBERL01708
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X1
Errors: N/A
Expiration:
Film Number: D780294-0907
Format: TEL
From: USBERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780745/aaaabmdr.tel
Line Count: 167
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: f1c54271-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 20 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1963565
Secure: OPEN
Status: NATIVE
Subject: SOVIET PROTEST RE WEST BERLIN POLICE CONTROLS ON S-BAHN SUMMARY: THE SOVIET EMBASSY IN EAST BERLIN HAS PROTESTED TO BRITISH (CHAIRMAN) POLAD ALLIED ORDINANCE PERMITTI
TAGS: PGOV, GC, UR, BQG
To: STATE
Type: TE
vdkgvwkey: odbcc://SAS/SAS.dbo.SAS_Docs/f1c54271-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014